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Executive Registry
9-9694

16 December 1957

MEMORANDUM FOR THE RECORD

SUBJECT: Conversation with Mr. Loftus Becker on Legal Problems Connected with Outer Space

1. Mr. Becker called on the DCI on 13 December to discuss ideas having to do with outer space and sovereignty questions arising from advances in earth satellites and related vehicles.
2. He said that he is preparing within the Department of State a staff study which he hopes to have ready by the time the Secretary of State returns to Washington. After approval by the Secretary, the study will be coordinated with other interested agencies, including CIA. Mr. Becker did not go into detail on the status of his thinking in this field. He pointed out, however, that there would appear to be three separate and distinct areas to be considered. The area from the surface of the earth up to about the limits of ordinary atmosphere would seem to be subject to normal sovereignty laws--that is this air space over the territory of a particular country would be considered within that country's sovereignty.
3. On the other hand, such a concept can hardly be extended to the farthest regions of outer space; consequently that area would have to be open to any country that could exploit it, thereby making it appear desirable to come to some sort of international agreement on the use of this space and the rules that should govern it. Finally, it might be concluded that there is an intermediate layer which is above the normal atmosphere, or at any rate above the limits of conventional air travel, but not as far as the outermost areas. This intermediate space might pose the most difficult problems of jurisdiction.
4. Mr. Becker said that he was worried about proposals for a reconnaissance vehicle of the nature of a satellite, since the launching of such a device could have the effect of opening up great areas of space to free use by any country able to launch the necessary

equipment. Mr. Dulles said that he thought proposals for such a vehicle to send photographs back to the earth by television might be premature and unrealistic. He said that in his opinion before the US commits a great deal of money to such a project we should be convinced that the technical equipment is capable of producing useable pictures.

5. Mr. Becker also outlined an idea whereby the US would propose to the USSR that each country give the other an opportunity to inspect any satellite which it was planning to launch into orbit, and that data on launching times, planned orbit, etc., be exchanged. It would not be necessary to view the respective launching missiles, and these could be suitably screened. In this way we would be able to have some assurance that an ICBM or similar vehicle which we might spot in flight by tracking devices would be a scientific device rather than representing a military attack. The proposal for the exchange of such data would of course not be made until we have succeeded in launching a satellite of our own. Mr. Becker felt that the proposal would benefit us, as explained, should the Soviets accept it, and on the other hand if they did not accept it we would have gained a psychological advantage.

6. As a refinement of Mr. Becker's idea I suggested that the proposal include the provision in any satellite of an IFF (Identification Friend or Foe) device similar to those used on aircraft. He thought this suggestion had merit.


THOMAS A. PARROTT

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Remarks:

Cys sent to Mr. Kirkpatrick
 General Truscott
 Mr. Amory
 Mr. Houston
 stating the DCI would like to discuss this at a
 future Deputies' Meeting.

SUSPENSE: 8 January 1958

10 Jan 58.

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